

State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-3503 FAX (603) 271-2982



Ronald and Catherine Snow
9 Woodlawn Drive
Carver, MA 02330

LETTER OF DEFICIENCY
#SP-2001-01
February 1, 2001

Dear Mr. and Mrs. Snow:

On January 26, 2001, personnel from the Department of Environmental Services, Water Division ("DES") conducted a site inspection of your property identified as Gilmanton Tax Map 46, Lot# 47, Valley Shores Drive, Shellcamp Pond, Gilmanton, New Hampshire. The purpose of this site inspection was to determine compliance with RSA 483-B, the Comprehensive Shoreland Protection Act ("CSPA"). During the inspection the following deficiency was noted:

Within the natural woodland buffer of the protected shoreland, a healthy, well-distributed stand of trees, saplings, shrubs and ground covers was not left in place.

DES personnel observed an area of your property measuring approximately 90 feet by 96 feet that has been clear-cut of all vegetation. The CSPA regulates cutting of trees and other vegetation within 150 feet of public waters of New Hampshire. It is important to note an area is allowed to be cleared for the purpose of building. This area, referred to as the "building envelope" extends 25 feet from the footprint of construction (within the 50 foot primary building setback this area is reduced to 15 feet from the footprint of construction).

Although the ground was covered with snow at the time of the inspection, an area of the bank at the shoreline had been exposed by snowmobile traffic and showed disturbed soil. Within the protected shoreland zone (within 250 feet of a public water of NH) erosion and siltation control measures are required where disturbed or friable soils are present. As soon as the ground thaws, erosion controls should be installed if there are disturbed soils on site.


A report outlining how compliance will be achieved with the above cited deficiency should be submitted to DES within 30 calendar days from receipt of this letter. This report should include a to-scale revegetation plan with a key explaining species, number, diameter and height of proposed plantings, as well as a timetable for when the planting will be completed. Saplings should be 1-2 inches in diameter, 4-6 feet in height and all plantings should be from the list of New Hampshire native and naturalized species. If you are intending to build on this property, please provide a copy of your plans and all necessary permits. In the event that a compliance report cannot be submitted within this time period, DES may order you to take such remedial measures as may be necessary. Failure to comply with such an Order may result in enforcement action by DES under RSA 483-B:18. In addition, DES personnel may conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with the applicable statute.

Enclosed, for your information, are copies of fact sheets explaining the Comprehensive Shoreland Protection Act, a copy of the Act, administrative rules Env-Ws 1400, a guide to restoration of shoreland property, guidelines to the revegetation of shoreland property, and proper installation and maintenance of erosion control measures.

The written report identifying corrective measures to be taken should be addressed as follows:

Allyson Gourley
Shoreland Compliance Coordinator
NHDES
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions please contact Allyson Gourley(603) 271-6876

Sincerely,

COPY
Rene J. Pelletier, Manager
Land Resources Mgmt. Programs

CERTIFIED MAIL

Enclosures

RJP:ag

cc: Gretchen C. Rule, Enforcement Coordinator-DES
Russell A. Nylander, P.E., Chief Engineer-WD/DES
Shoreland Program-NHDES
Jody Connor- Director, NHDES Limnology Center
Gilmanton Conservation Commission
Gilmanton Board of Selectmen
Gilmanton Building Department